Law (Jl) **(1928) Department.**

Nos SERIES.

G.O. No. 365

DATED 3-2-1928

[Despatch Abstract.]

Motor Vehicles - plying for hire - South Kanara district - appointment of bus inspector sanctioned from 1-3-1928.

L A W (GENERAL) DEPARTMENT.

CURRENT NO.

Received.....192 . Registered.....192

Subject.

Motor vehicles - Inspection - Appointment of whole time inspectors Proposal.

Routine No. 2116,

Station Madras, Dated the 6th April 1927.

From W. SCOTT BROWNRIGG ESQUIRE I.C.S.,
Board of Revenue,
Secretary, Land Revenue and Settlement,

Resolution.

In paragraph 1(i) of their Order No. 580 Law (General) dated the 22nd February 1926 Government directed that "in districts in which the number of buses to be examined is large and the income from fees would justify it, the half-yearly inspection should be entrusted to a single professional Officer on a suitable salary". On an examination of the receipts in the districts for which professional officers have not as yet been appointed, the Board considered that there was a case for extending this system to the districts of North Arcot, Tanjore, Salem and South Kanara. The actual income and expenditure in these districts for 11 months of the current year are as follows : --

District.	Receipt for 11 months, Rs.	Expenditure for 11 months. Rs.
North Arcot.	4,115	3,390
Tanjore	4,325	4,650
Salem.	4,467	4,375
South Kanara.	4,575	3,600

2. The District Magistrates concerned were asked to state whether they saw any objection to the Board's proposal. The District Magistrate of Salem has no objection. He observes that there has been a great increase in the number of buses in his district. The other three District Magistrates, however, are satisfied with the present system and are not in favour of any change, though the District Magistrate of North Arcot is of opinion that the fee paid as honorarium should be reduced.

The reasons urged against the Board's proposal are (1) that the present system is working well, (2) that there may be difficulty in getting suitable inspectors who will be both competent and above temptation, and (3) that there is not enough work for a whole time inspector. No difficulty was apparently felt in getting ~~suitable~~ competent men when inspectors were appointed for Madura, Tinnevelly, Coimbatore and Malabar. As regards the insufficiency of work for a whole time inspector in these districts the Board observes that the average number of buses examined is not great even in districts in which special inspectors have already been appointed. In Coimbatore, it is one per day, in Madura and Malabar two and in Tinnevelly a little more than two.

5. The District Magistrate of South Kanara argues that the District Superintendent of Police has to do other work also in connection with motor buses, for which he does not receive any remuneration. With regard to this, it may be observed that he does this work in his capacity as District Superintendent of Police as all District Superintendents of Police were doing even before the system of inspection of buses was introduced.

6. The Board is of opinion that the objections raised are of very little weight and that the system of inspection contemplated in paragraph 1(i) of the G.O. quoted above may be extended to these four districts. In view of the receipts, an inspector on Rs. 250/- per mensem (as in Tinnevelly) may be appointed for each of the districts of Tanjore, Salem, and South Kanara and one on Rs. 200/- per mensem(as in Malabar) for North Arcot.

x x x

(True Extract)

W. Scott Brown.
7-11- 27
Secretary.

To the Secretary to Government, Law(General) Department.

LAW(GENERAL)DEPARTMENT. 3

CURRENT No.

Received..... 192 . Registered.....192

Subject.

MOTOR VEHICLES - Half yearly inspection of buses- Appointment of whole time inspectors - Grant of motor cycle allowance - Board's report submitted.

Misc.No. 2408.

Station. M a d r a s. Dated the 29th August 1927.

From

B.F.Holdsworth Esq; I.C.S.,
Secretary,
Board of Revenue,Land Revenue,Settlement.

H.A.B.Vernon Esq;I.C.S.,
Commissioner of Land Revenue.

Resolution.

Read the following : -

Memorandum from Government, Law(General) Department,No. 2642-C -1.

dated 3rd May 1927.

The Board submits the reports of the District Magistrate of Madura, Ramnad,Tinnevelly and Malabar and Coimbatore on the working of the system of whole time inspectors introduced in these districts. The Board considers that the present experiment of entrusting the half yearly inspection of buses to a single professional officer is likely to be successful only if the District Magistrates take a continued personal interest in the work of these inspectors. The District Magistrates are doing so at present and the Board recommends a continuance of the system which is reported to be working well.

2. With reference to paragraph 3 of the Government memorandum the Board begs to report that the District Magistrates of Tanjore and South Kanara recommend the appointment of a peon and of the grant of a motor cycle allowance but considers a peon unnecessary. The District Magistrate of North Arcot is in favour of the appointment of a peon but considers the grant of a motor cycle allowance unnecessary as the inspector can get to all the principal places in the district by train or motor bus.

3. The Board considers that uniformity is desirable in this matter and that inspectors should be encouraged to maintain a motor cycle and be granted an allowance of Rs. 25/- per mensem. They need not however be

4. The Board also considers that a peon is necessary for each inspector.

(True extract)

B.G.Holdsworth.

Secretary.

To the Secretary to Government, Law(General) Department

with copies of the report of the District Magistrates of Madura, Ramnad, Tinnevelly, Malabar and Coimbatore.

.....

5

Copy of Memorandum No. 2642 C -1, dated 3rd May 1927.

Motor vehicles - half yearly inspection of buses - appointment of whole time inspectors - Board's Resolution Rout.No. 2116 dated 6th April 1927.

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The Board of Revenue is requested to obtain from the D.Ms. of the marginally noted districts a report on the working of the system of whole time bus inspectors introduced in those districts and forward it to Government with its remarks at an early date.

Madura-Ramnad, Tinnevelly, Malabar and Coimbatore.

2. The Board of Revenue is also requested to say whether it recommends

(i) the grant of a motor cycle allowance to the bus inspectors proposed by it for the district of Tanjore, Salem, South Kanara and North Arcot,

and (ii) the appointment of a peon to each of these bus inspector

To the Board of Revenue, Land Revenue and Settlement.

Ref. No. 9158-27

South Kanara District Magistrate
Office,

Mangalore, dated 13th January 1928.

L 9416A 3.2.28

From

E. M. Gawne, Esq, I.C.S,
District Magistrate,
S o u t h K a n a r a.

To

The Secretary to Government,
Law Department, M a d r a s.

S i r,

Motor Buses--Bus Inspector's post--proposal.

In accordance with instructions received from Government I advertised for a post of Bus Inspector in the Hindu Newspaper in November. I received altogether 67 applications; 54 of the appli-cants were obviously unsuitable; some were young men without experience, others Vakils without practice or Retired Police Officers without mechanical knowledge. Of the remaining 13 only two candi-dates had the qualification of Diploma of L. M. E. (Hons) and could be considered qualified engineers. Of these two I have selected Mr. B. Ramanna Shetty and I enclose his application. Before decid-ing to recommend him I made him inspect two Motor Buses before me and a qualified engineer and I have satisfied myself that he has a very good knowledge of motor engineering. As he belongs to the South Kanara District he has the additional advantage of knowing the languages and I think that he will be quite suitable. I suggest that he should be appointed with effect from 1st February 1928.

2 I am of opinion that the brake certificate which the Bus Inspector should give ought to be enlarged so that the District Magistrate can satisfy himself that the Inspector has attended to all the essential parts of a Bus before giving the certificate. The present certificate only states that the Bus is in a fit state to ply for hire and this does not ensure that the Inspector has given the proper amount of attention to the examination so tha he is satisfied that the Bus can run safely for another six months I attach a list of parts of a Bus which I have prepared and I have

shown against each part what test the Inspector should apply to it before he gives the certificate. I propose that when the books of blank certificates are prepared this list of parts shall be printed on the back of the certificate which is sent to the District Magistrate and on the back of the office copy retained by the Inspector. It would not be necessary to print it on the portion of the certificate which is handed over to the Bus. I do not mean that the Inspector should write remarks against each item but he should put a tick against each to show that he has applied himself to that particular part of the Bus and is satisfied. The Government will make a very considerable profit in employing a Bus Inspector of Rs. 250/- a month with a motor cycle allowance of Rs.25/- to inspect the buses of this district and I do not think that it need grudge a small amount required for printing charges.

3/ When I was an additional District Magistrate, Malabar, I recommended to Government that the Malabar Bus Inspector should be allowed a lascar who should do both the duties of a peon and any other work necessary during the inspection of Buses. I consider that a lascar will also be necessary for the South Kanara Bus Inspector. He cannot be expected to run round towns himself notifying his arrival to Motor Bus Companies. A Government Officer on 250/- a month is, I think, entitled to a peon.

Your obedient servant,

Dt. Magistrate.

8

Suggested parts of a Bus that the Inspector must consider satisfactory before giving his brake certificate.

Engine:	1. Engine proper	(firm in bed when running stationary.)
	2. Radiator.	(No leaking andto be firmly fixed).
	3. Petrol tank.	
Brakes:	1 Foot	(Proper acting and return to 'off' position).
	2 Hand	
Controls:	1. Steering.	Not too much play in wheel and knuckles.
	2. Gear	(Proper fixing and movement).
	3. Other controls.	
Wheels:		(Running true and no side play in bearings).
Springs:		Leaves to to be whole. Springs toksufficiently set up and level, one side with another.
Body:	1. Seats.	
	2. Doors.	(Security of fixing)
	3. Roof.	(To take amount of luggage allowed in T permit).
Lamps:	1. Front.	(Proper working order, if supplied).
	2. Rear.	
Number plates:		(Properly legible at a distance and not obscured

luggage carriers

Kaine
District Magistrate.

13.1.20

Ref. C. No. 9158--27.

South Kanara Dt. Magistrate's Office,
Mangalore, dated 14th January 1928.

From

E. M. Gawne, Esq, I.C.S,
District Magistrate,
South Kanara.

To

The Secretary to Government,
Law (General) Department,
Madras.

Sir,

Motor buses--Bus Inspector's post---proposal.
My letter Ref. C. No. 9158--27 of the 13th January 1928.

In continuation of my letter of yesterday's date, I have to report that Brother Foglieni, the Superintendent of the Industrial Works, where Mr. Ramanna Shetty is now employed, has asked me whether it would be possible as a personal favour to defer Mr. Shetty's appointment till 1st March. It appears that the Industrial Works are erecting two plants and will be seriously handi-capped if Mr. Shetty is taken away in the middle of the work.

I can see no objection to the proposal as the present Inspecting Officers can quite easily carry on for another month. I request therefore that the appointment may be made from the 1st March and not from the 1st February.

Your obedient servant,

Gawne

Dt. Magistrate.

3

Law (Genl.) Dept

DS.

CRO.4101A

Please see the Finance note on plan etc. For orders as to issue.

9.10.29

29/10

90

Law(General)Department.

Subject : - Motor vehicles - buses- half yearly examination, South Kanara - appointment of an inspector.

Copy of Secretary's note: -

"A separate note about South Kanara may be submitted to H.M. quoting D.M.'s letter and Board's remarks stating that they have already been considered. See their reference in which several district magistrates' proposals have been reviewed."

U.S.

The District Superintendent of Police, South Kanara and Mr. Thorpe, a private mechanical engineer are conducting the half yearly examination of buses in the South Kanara district. The income from fees for the inspection of motor buses in the district was Rs.4575 for 11 months. In paragraph 2(1) of G.O.No.1819Law (General) dated 6th June 1925 the Government have laid down the policy that in districts in which the number of buses to be examined is large and the income from fees would justify it, the half yearly inspection should be entrusted to a single professional officer on a suitable salary, the fees levied being credited to the Government. With reference to this policy the Board of Revenue recommends the appointment of a bus inspector for S.Kanara on Rs.250 a month plus Rs. 25 motor cycle allowance. It however considers that the inspector need not be compelled to maintain a motor cycle. But the Finance department agree to the grant of the allowance only on condition that the inspector maintains a motor cycle in good order. The Board also recommends the appointment of a peon on Rs. 12 a month. If an inspector is to be appointed for S.Kanara he may be paid Rs. 250 plus Rs. 25 motor cycle allowance subject to the condition that he maintains a motor cycle in good order. A peon also may be appointed. The following statement gives the probable income and expenditure under this

proposal : --

	Rs.
Expenditure for one year (pay of inspector, motor cycle allowance and pay of peon.	3444
Income from fees for eleven months.	4575
Expenditure for eleven months.	3157
Savings for eleven months.	1418

The income from fees justifies the appointment of the inspector.

2. The D.M. South Kanara, has written a D.O. saying that certain persons who applied to him in person for being appointed as a bus inspector did not appear to be in the least qualified for the post, and that he did not see any applicant whom he could trust to do the work properly, ~~and honestly. No application for the post was invited till now.~~ The D.M. recommends that the appointment of an inspector might be deferred for six months. The D.M. the Nilgiris invited applications by advertisement in newspapers for the post of a bus inspector for his district, and got about 60 applications ~~about half of which were from Europeans and Anglo-Indians and the rest from Indians. He considers that a suitable inspector can be selected from the applicants.~~ If applications for the post of an inspector for South Kanara are similarly invited by advertisement in papers, perhaps a suitable officer may be found. The D.Ms. of Madura, Ramnad, Malabar and Coimbatore are satisfied with the work done by the bus inspectors during the last year. In this connection reference is solicited to paragraphs 3, 5 & 6 of the Board's proceedings No. 2116 dated 6th April 1927 where the objections raised by the D.M., South Kanara have been considered by the Board, before making the recommendation for the appointment for S. Kanara and overruled. The former Secretary (Diwan Bahadur T. Raghaviah) considered that the Board's recommendation to appoint a bus inspector for South Kanara should be accepted.

pay 12-16
Rs 3415
1-11-27 (K)

18 — (K)

The fee income in South Kanara for 11 months was Rs. 1575 i.e. about Rs. 5000 in a year. ~~One of the reasons which gave rise to G.O. No. 1819 dated 6-6-25 was that the D.S.~~ were making a large income~~s~~ out of the inspection of buses. The Government also consider that it was necessary as far as practicable to dissociate officers like D.S.s whose duty it was to work the motor vehicles Act~~s~~ and rules from the grant of ~~brake certificates under condition (4) of the 'G' permit~~.

In these circumstances it is for consideration whether the Board's recommendation to appoint a bus inspector for South Kanara may be accepted or whether the D.M's proposal to continue the existing system may be approved for at least six months.

8.10.27

The point raised by the DM S. Kanara in his D.O. is really this. He has no objection to a salaried inspector but he sees no prospect at present of getting a good enough man for the post. We may adhere to the principle of appointing salaried inspectors, ask the DM. to advertise widely and come up with proposals as soon as he can find a suitable man

10/10/27

C
3

I agree

11-10-27

On another file I asked whether the suggestion that this work should be done by the Dept of Industries has

2 6

ever been considered

all
11.10.27

U.S

H.M's query has been answered in the top para.

14.10.27
S

10.27.
BR
13/10/27

It might maybe asked to advertise

all
14.10.27

U.S.

Reference is solicited to the letter dated 17.5.1927 from the D.M., S. Kanara, to the Board of Revenue and the remarks of the Board in paragraph 2 of its Proceedings dt 13.10.27.

~~A draft d.o. is sent to D.M., S. Kanara.~~

A draft d.o. to D.M. S. Kanara is sent.

In case whether a copy of it may go to the M.S.

If the bill (illegible)

Ref. 16 of Top file (illegible)

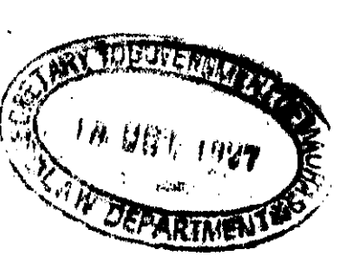
D
13.10.27.
BR
15/10

Send a copy of a d.o. letter.

19.10.27
S

Not necessary to send as Govt. records Board's view on principle

(illegible)



D.O. 6633C-1
20.X.27

Law (General) Department

Dear Gawne,

Motor Vehicles - buses- half yearly examination - appointment of inspector - South Kanara - Your D.O. dated 20-9-27.

The Government observe that you have no objection to a salaried inspector being appointed in the South Kanara district for conducting the half yearly examination of motor buses, but that you see no prospect at present of getting a suitable man for the post. I am to request you to invite, by advertisement in newspapers, applications for the post of inspector on Rs. 250 a month plus a motor cycle allowance of Rs. 25 subject to the condition that the inspector maintains a motor cycle in good condition. The post will be temporary and non-pensionable. I am to request you to send up specific proposals to Government as soon as suitable man is found.

decided in the issuing of appointing orders.

19.10.27

To

E.M.Gawne Esquire, I.C.S.

District Magistrate,

South Kanara.

25

Hb-8 CF C No. 288 C From the D. M. S. Kanara
Rep. No. 9158-27 of 13-1-28

p17 CF C No. 318 C From the D. M. S. Kanara
Rep. No. 9158-27 of 14-1-28

Vis

p7 ante In Do. No. 6633 C-1 of 20-10-27, the D. M. S. Kanara was requested to invite by advertisement in newspapers, applications for the post of Inspector of Motor buses on Rs 250 a month plus a motor cycle allowance of Rs 25 subject to the condition that the Inspector maintains a motor cycle in good condition. He was also requested to send up proposals to Govt. as soon as a suitable man was found.

p6 CF 2 The D. M. S. Kanara submitted proposals for the appointment of a Motor bus Inspector, after inviting applications by advertisement in the news papers. He has selected a candidate in Mr. B. Ramanna Shetty, who possesses the Diploma of L. M. E (Hons), Victoria Jubilee Technical Institute, Bombay. He requests that the post of bus inspector and a peon may be sanctioned with

76

Effect from 1st March 1928.

3 An objection petition has been received from one Sayyid Mustapha, Merchant & Landholder Tengalore, against the notification issued by the D.M. inviting applicants for the post of a bus inspector. The main objections urged against the notification are as follows:—

(1) The notification calls upon the applicants to apply by post, and restricts persons who draw salaries exceeding Rs 150 pm;

(2) The issue of the notification is undated, and does not fix any date within which applications should be put in;

(3) The D.M. has promised to one Ramanna Shetty, the appointment that the person knows nothing regarding motor Engineering and has not even a driving licence for driving a motor car; this suggests that if the D.M. is determined to appoint Mr. Shetty he should be tested practically

~~10~~ ~~26~~ 27

by the D.S.P. or in the alternative the Director of Industries may be requested to get the candidates examined in Madras and make the best selection

4 Objections (1) & (2)

Attention is invited to notification at flag 'Q' The Govt have not placed any such restrictions in the D.O. asking the D.M. to advertise for the post of a bus inspector. The D.M. has perhaps added these points with a view to get a suitable candidate The objections may be passed over

My remarks on the objection portion will be found in the linked file. 24.1.28

Apparently D.M. wanted men of established services

OPS 25-1-28

Objection (3)

The D.M. in recommending Mr. Shetty, to the post of bus inspector made him inspect two motor buses before him and a qualified Engineer and he is satisfied that he has a very good Knowledge of Motor Engineering. The D.M's recommendation may be accepted.

bbCF

26.1.28

OPS 25.1.28

26

The candidate holds a diploma

5/ In these circumstances, the post of a bus inspector on Rs 250 + motor cycle allowance of Rs 25 a month may be created temporarily for a period of one year with effect from 1.3.28. No provision of funds has been proposed in connection with the budget for 1928-29 for the post. It is submitted that the expenditure may however be met by re-appropriation of funds.

6/ The D.M. also applies for the sanction of a peon. The Govt. have sanctioned the appointment of a peon on Rs 12 a month to work under each of the Inspectors appointed for North Arcot, Tanjore and Salem. A peon on the same pay for a period of one year may also be sanctioned in the case of S. Kanara. The expenditure in this case may also be met by re-appropriation

7/ In paragraph 2 of this letter, the D.M. proposes the incorporation of several details

R

29

in the boiler certificate so that the D.M can satisfy himself that the bus inspection has attended to all the essential part of the bus before granting the certificate. The Director of Industries has already forwarded a specimen form for a full and informing report by the Inspector of bus and the question of standardisation of the form is under separate consideration. The suggestion of the D.M. will be considered along with that proposal. No specific action in this regard appears necessary now.

(copies sent)

Clo 24.1.28

Nil now appears necessary 25.1.28.

The file may go to finance with reference to paragraphs 5 & 6 supra

Clo 24.1.28
S
25.1.28

JD 25.1.28

25.1.28

Finance (S.R.)

The proposal of the Law dept. is to sanction the employment for a period of 1 year from 1.3.28 of a separate Inspector

GOVERNMENT OF MADRAS
26 JAN 1928
FINANCE DEPARTMENT

para: 5 p. 11 ante

2902 SR
26.1.28

of Buses in the South Kanara district on a pay of Rs 250/- with a motor cycle allowance of Rs 25/- p.m. and a peon on Rs 12/-. Attention is invited to pp. 24-26 of G.O. 3415 Law (Genl) dt 1.11.27. Finance have already agreed to the proposal. The expenditure during 1928-29 is proposed to be met by re appropriation. para: 6 p. 11 ante (K) para: 5 & 6 ibid.

The case may be perused and returned to Law.

27.1.28

27/1/28

25.1.28.

Law.

Draft G.O. 30/ 2902-1ER
28.1.28

Law (Genl)

WO

A draft order and a draft G.O. are submitted ~~herewith~~ The case may be circulated to H.M.C. Two drafts

JD 31.1.28 Stpo 31.1.28

1.2.28

S 0028 2/2/28

L G 344-A
30.1.28

C 1 C682 2/2/28

GOVERNMENT OF MADRAS 2-FEB 1928 LAW DEPARTMENT

Sch. II-5 (a)—38,004—26-10-27. (6)

2d 3/2/28
3/2/28

31

Law (Genl) DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied	3/2	
When examined		
When signed		
When despatched		

Two Copies

Motor Vehicles - plying for hire - South Kanara Dt. - appointment of Inspector sanctioned. - Orders issued.

READ AGAIN G.O. No. 3415 Law dated 1-11 1927

" " " " " 192

READ ALSO:—

Ref.

G.O. No. 2880/28 From the D.M. S. Kanara, No. 9158-27, dated 13-1 1928

" " 3180/28 " do " 9158/27 " 14-1 1928

" " " " " 192

ORDER.

No. 365, dated 3-2-1928

Mi

With reference to G.O. No. 1819 Law (Genl) dt. 6-6-1925, the Govt. sanction temporarily for one year with effect from the 1st March 1928, a post of Inspector Motor buses on a salary of Rs 250 (Two hundred and fifty) a month with a motor cycle allowance ~~of~~ deduction of Rs 25 (twenty five) in addition provided he maintains

otor cycle. The ap-
intment will be non-
ensionable and temporary
a period of one year.
e office will be stationed
the headquarters of the
t but may be allowed
visit important centres
t fixed intervals. No
avelling allowance
ll be paid for such
isits; nor will any
ols be supplied by
ent at Govt. expense
he incumbent will
ot be permitted to
ow any other business
onnected with motor
ehicles while he
olds the post.

2 The Govt sanction
lso the appointment
of a peon on Rs 12
a month to work under
the Inspector. The
period of employment
of the peon will be
subject to that of the

offers. The pay will be allowed to admissible to menials under the ordinary rules when they go out of headquarters.

3. The pay and allowance of the officer and peon shall be met by re-appropriation. The fees collected shall be credited to "XXXV Miscellaneous - other fees, fines and forfeits. Fees for inspection of motor buses"

1.2.28

31.1.28

31.1.28

To

The Board of Rev (L.R)
D.M. & Kanara
A.G. (Thro Fin)
Fri

Copies for circulation

35 Law (gl)

D.o. 318 C. L&J 3-1-28

Inspectn of Mchs.
Mrs. South Kanara —
Re yr letter No. 9158-29
of 13-1-28 & 14-1-28.

Dear Mr Gawne

I am desired to say that orders sanctioning the post of a Mrs Inspectress for the S. Kanara Dt. with effect from 1-3-28 are being issued separately. I am to add that the Govt. see no objection to the appointment of Mr. B. Ramanna Shetty to the above post

Yours &c

E. M. Gawne Esq
ICS
D.M. S Kanara
(with Pp 9-16 C.F.
rep post in angl. retns)

'THE HINDU"

36

10th November 1927.

N O T I C E .
****

Applications are invited for the post of motor bus inspector in the South Kanara district. Pay Rs. 250 per mensem with a motor cycle allowance of Rs. 25 per mensem. The post is non-pensionable.

Applicants should apply by post and not in person, stating fully the qualifications and present appointment and salary. Applicants who have no satisfactory proof that they are at present in receipt of salaries exceeding Rs. 150 per mensem need not apply.

E.M. GAWNE
District Magistrate,
South Kanara.

13-C/28
5-1-28

37

22.12

To

The Government of Madras,

Law Department,

Fort St. George, MADRAS.

Thro'

The Director of Industries,

Chepauk, MADRAS.

Humble Memorial of Syyad Mustaph,
Merchant & Land-holder, Mangalore,
South Kanara. Dated 17th Dec.'27.

Respectfully Sheweth:

The Memorialist abovenamed being highly concerned by the manner of the notification published in the issue of the 'Hindu' dated the 10th November, 1927, under the name of the District Magistrate of South -- Kanara, inviting applications for the post of Motor Bus Inspector in the District, begs leave to submit his humble protest against the legality and validity of the said notification in the interest of the public.

2. Regarding the first portion of the said notification there can be no objections; but so far as the second portion calling upon the applicants to apply by post, and not in person and restricting them to produce proof of their being in receipt of salaries exceeding Rupees 150/- per mensem, it has to be submitted that thereby an intentional bar has been placed on professional expert, so that the presumption is strong that the authority concerned appears to have entertained a partiality towards a particular candidate who must have managed to curry favour with the

authority prior to the notification.

3. The appointment in question is open to all qualified professional experts notwithstanding - their holding any other appointments. The restrictions are opposed to the principles of recruitment in the public service. It is nowhere laid down either in the Motor Vehicles Act or in the Rules framed thereunder that only men in service have to be appointed. The attempt is clear to shut out a large number of --- professional experts, who though not at present in any service are still entitled to every recognition by reason of the expert knowledge, skill and experience regarding the structural defects etc., of Motor Vehicles used for public traffic. In these circumstances the notification in question is not only illegal and ultra vires of the powers but is also opposed to all sense of justice and fair-play. As such it is -- liable to be cancelled or nullified so as to remove the bar and render the appointment open for all the candidates having the necessary expert knowledge.

4. Another feature of the notification which strikes any impartial reader is that its issue is undated nor does it fix any date within which applications should be put in. A comparison of the same with the notification issued by the District Magistrate of Tanjore on 15-11-1927 prescribing a time limit of one month and with one issued by the District Magistrate of North Arcot prescribing a time limit of 20 days will reveal the ugly complexion of the notification objected to. As the matter is of great importance to the --

39

public the immediate attention and necessary action of the Government are solicited.

5. It seems the District Magistrate of South Kanara District has promised one Ramanna Shetty, an Engineer of the St. Joseph's Assylum Workshop at Jeppoo, Mangalore, this appointment even before the sanction for the post has been received by the District Magistrate. The said person knows nothing regarding the Motor Engineering and as not even a driving licence for driving any motor car. Nor has he handled even the steering of one.

6. In the interests of the travelling public it has to be urged that whoever the candidate may be and whatever engineering qualifications he may possess,-- justice requires the selection of the best candidate only on his giving entire satisfaction with a practical demonstration of his skill and knowledge in finding out the defects by testing himself and by driving himself and not sitting by the side of the driver.

7. The Memorialist has already brought these facts to the notice of the said District Magistrate, who however, appears to have turned a deaf ear and sit tight over the matter bundling up a mass of applications and doing nothing. If the authority is determined to ride his hobby, it has to be submitted that menace is the safety of the public should be removed by directing the said District Magistrate to have the said Ramanna Shetty tested practically by the District Superintendent of Police as the latter is upto now one of the Motor Bus Examining Authorities in the District with an experience of about three years or in the alternative --

to request the Director of Industries to get the -- candidates examined in Madras [redacted] and make a best selection.

For which act of justice Memorialist shall, as in duty bound, ever pray.

Syyad. Mustaph
Memorialist.

Endorsement No. 13-C/28 dated 7th January 1928.

F O R W A R D E D.

for Director of Industries
7.1.28.

To

The Secretary to Government,
Law Department,
Fort St George, Madras.

To Law Gen

C No. 156 c From Sykes Mustapha

17-12-27

Subject Appointment of a Commissioner - S Kamara

Dt — Subject: petition

Sir

The points raised by the petition have been dealt with in the linked file. (paragraphs 3 & 4 refer)

JD
30.1.28

PSR
23/1/28

This altogether is one of the most amusing and disgusting displays of spite that I have come across.

'A' seems very nearly actionable

Para 3 and 'B' in particular seem nonsense.

'C' again seems almost actionable

'D' is apparently a barefaced lie

I suggest that the petn. etc be sent to the D.C. S.Kamara for him to take such action as he pleases.

CSD 31.1.28

SD

does not deserve notice

DOB
25.1.28.